

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GREG GAMACHE, }
Plaintiff, }
v. } Civil Action No. 11-59 Erie
FEDERAL BUREAU OF }
INVESTIGATIONS, et al., }
Defendants. }

MEMORANDUM ORDER

This action was received by the Clerk of Court on March 10, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 2], filed on March 14, 2011, recommended that the action be dismissed as frivolous in accordance with this Court's authority under 28 U.S.C. § 1915(e)(2)(B). It was further recommended that the Plaintiff's motion for leave to proceed *in forma pauperis* be dismissed as moot. Plaintiff was allowed fourteen (14) days from the date of service to file objections and service was made on Plaintiff by certified mail. No objections were filed. After de novo review of the motion and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 1st day of April, 2011;

IT IS HEREBY ORDERED that this action is DISMISSED as frivolous in accordance with this Court's authority under 28 U.S.C. § 1915(e)(2)(B). IT IS FURTHER ORDERED that the Plaintiff's motion for leave to proceed *in forma pauperis* is DISMISSED as moot.

The Report and Recommendation [ECF No. 2] of Magistrate Judge Baxter, filed on March 14, 2011, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge